

Disposition of the Independent Review Panel

Complainant: Marlene M. Mato

Date: July 2, 2003

IRP Case: A2003.046

From: Eduardo I. Diaz, Ph.D.
Executive Director

The Independent Review Panel met on June 26, 2003 for the purpose of publicly reviewing the complaint made by Marlene M. Mato against the Miami-Dade Water & Sewer Department (WASD) and the department's response to the complaint. The following represents the findings of the Panel:

A. Allegations

- 1) WASD did not provide Marlene M. Mato with a (December) water bill, after she had the water turned on in her name in September 2002.
- 2) WASD erroneously sent Ms. Mato a disconnection notice which stated that she had an outstanding balance of \$221.38, when in fact this was someone else's water bill.
- 3) WASD Customer Service Representatives failed to properly investigate the billing problem, and automatically assumed that the bill discrepancy was due to the customer's usage and was the customer's responsibility.
- 4) When advised that Ms. Mato had a shared account problem, WASD did not assume responsibility for resolving the problem. Ms. Mato was given varying information regarding the billed amount due.

B. Disposition of the Independent Review Panel

The four allegations made by IRP Complainant Marlene M. Mato are Sustained. There is sufficient corroborating evidence provided by the WASD investigative report and the testimony of the IRP Complainant to support the allegations.

C. Other Findings

1. WASD acknowledged that all the allegations made by the IRP Complainant are valid and corrected the billing problem. However, action was not taken until IRP intervened in March, and the bill was not corrected until May 2003.
2. WASD appropriately sent a corrected bill with appropriate credit adjustments to Marlene M. and Marlene C., along with a letter of explanation and apology in May 2003.

3. There is no telephone monitoring system currently in place to monitor the Customer Service Representatives' calls, to confirm whether the training that is provided is actually being applied during Reps contact with customers.
4. On 4/3/03, there were four separate accounts which inappropriately contained (and/or were linked with) identifying information for Marlene M. Mato. Accounts: #3898077911, #9060458265, #0671346200*, and #1178146732*. The latter two (2)* were linked between Marlene M. and Marlene C. Mato.

D. Recommendations

- 1) Ask Miami-Dade Water & Sewer Department (WASD) to correctly link, input and/or delete any inappropriate identifying information in the accounts mentioned herein.
- 2) Ask WASD to create a mechanism (bill inserts, brochures, flyers, and/or announcements) to better inform customers about the WASD Administrative Hearings process, with a designated contact number if more information is required by the general public.
- 3) Ask WASD to provide the Independent Review Panel with information regarding the WASD Administrative Hearings for 2002: Of that total number, what proportion of requested hearings actually went to hearing, and what proportion were resolved by the Department prior to the hearing?
- 4) Ask ITD, in conjunction with WASD, to prioritize applying the necessary recording equipment; in order for WASD to better monitor: (a) quality of service being provided to customers; and (b) the proficiency level of Customer Service Representatives with the new person-based CIS System, to determine who may need additional computer and/or customer service training.
- 5) Ask WASD to conduct a review of past administrative hearings to determine if there are recurring issues leading to 65% of the 2002 administrative hearings being decided in favor of customers, and also review the composition and staffing for Administrative Hearing Officers.

Independent Review Panel

Staff Recommendation to the Panel

June 26, 2003

Complaint No. A2003.046

Name of Complainant: Marlene M. Mato

Accused Party: Miami-Dade Water & Sewer Department (WASD)

Materials Reviewed: Grievance Report Form, Correspondence, Staff Notes, and Departmental Response

Committee: Heddy Peña and Chief John S. Ross, Panel Members; Dr. Eduardo Diaz, IRP Executive Director; Carol Boersma, Executive Assistant to the Director, and Debbie Penha-Cumbermack, Conflict Resolution Specialist.

Meeting Date: June 2, 2003

Present: Dana M. Moss, Sr., CPA, WASD Assistant Director – Finance, and Mary Perez, WASD Customer Service Supervisor – Collection Branch.

Complaint: Marlene M. Mato contacted the Independent Review Panel (IRP) after she was unable to resolve her water-billing problem with WASD, despite her numerous attempts by phone and in person.

Ms. Mato stated that she had her water turned on in her name in September 2002. In December, after she did not receive her water bill, she telephoned WASD and inquired if one had been sent. She was told that she would receive one in the mail. In January 2003, she called again and was told to "give it a few more days." Her water was then cut-off and what she received was a disconnection notice stating that she owed \$221.38. Ms. Mato said she called WASD and every Customer Service Representative (Rep) with whom she spoke either gave her varying information or could not assist her. According to Ms. Mato, messages left for a Customer Service Supervisor were not returned.

Finally, a Rep named "Bobbi" called; and during their conversation, Bobbi recognized that there was someone with the complainant's exact name listed in the system with the same account number. However, their addresses were different, as well as their social security numbers. When Ms. Mato requested that her account be separated from that of the other person's, Bobbi replied that she could not perform that task and provided a number for the complainant to call with her request.

On 2/12/03, Ms. Mato visited the LeJuene Road office, where she was prepared to pay the \$221.38, until the cashier told her that she owed \$91.92. She paid with cash. Ms. Mato said she then spoke with a Rep (describes as a young, Black male, whose name she believes is Mr. Davis), who researched the system and found that someone else had paid the \$221.38. He also found that there was in fact someone else with her name and the same account number, but a different address. Ms. Mato stated that she again asked for her bill to be separated. He told her that he is unable to separate the bill and referred her to someone else. Ms. Mato expressed that she felt frustrated and left.

Later the same day, she called and spoke to Carol Gates to whom she explained the aforementioned. Ms. Gates told her that she had to go back to the office to show her social security card. The complainant refused because she had already visited the LeJuene office where she could have provided whatever information was required, but no one asked.

Ms. Mato alleges that:

- 1) WASD did not provide her with a (December) water bill, after she had the water turned on in her name in September 2002.
- 2) WASD erroneously sent her a disconnection notice which stated that she had an outstanding balance of \$221.38, when in fact this was someone else's water bill.
- 3) WASD Customer Service Representatives failed to properly investigate the billing problem, and automatically assumed that the bill discrepancy was due to the customer's usage and was the customer's responsibility.
- 4) When advised that she had a shared account problem, WASD did not assume responsibility for resolving the problem. Ms. Mato was given varying information regarding the billed amount due.

IRP Staff Remarks

On 3/25/03, Panel staff persons Debbie Penha-Cumbermack and Carol Boersma met with Clive Mamby (Customer Service Manager/Records) and Dana Moss Sr. (CPA, WASD Assistant Director – Finance) regarding this complaint and two similar ones. IRP staff asked them if they would respond to the three complaints in writing and they agreed.

On 4/3/03, Ms. Mato called and said she received a water bill that indicates that she has an unpaid balance of \$378.22 (which included a \$25.00 NSF check fee). She said that she does not have a checking account, and made a cash payment in the amount of \$91.92 at the LeJuene office on 2/12/03.

IRP Preliminary Investigation

On 4/3/03, Panel staff conducted a preliminary investigation using the public access system and the existing information contained in WASD's records; and was able to conclude that there were, in fact, two (2) persons with the name Marlene Mato.

Departmental Response – WASD Investigative Report

The following is a summary from WASD's investigative report (dated 5/13/03):

08/23/02 Marlene **M.** Mato (IRP Complainant) applied for service. A WASD Rep used the Customer ID of Marlene **C.** Mato (WASD Customer) to open service for the IRP Complainant, as well as reference good credit at 5823 SW 149 Avenue – the address of the WASD Customer.

10/02/02 Marlene **C.** Mato telephoned WASD to say that she does not reside at 8231 SW 152 Avenue, Apt. #10 (the address of Marlene **M.**).

02/11/03 WASD disconnected service at the IRP Complainant's residence for non-payment. She telephoned WASD three (3) different times this day, during which she asked why her water was cut for non-payment (when she had not yet received a bill); reported that her account is shared with someone who has the same name; provided her physical address, home phone, cell phone and her SS #; and asked that a supervisor contact her.

02/12/03 A Customer Service Rep noted in WASD records that Marlene **M.** Mato called Relations and said she is not the same person at address: 5823 SW 149 Avenue.

WASD records reflect that two payments were posted to the account in dispute – one for \$221.38 via check, made in person at the Douglas Office at 12:07 p.m.; and the other, a cash payment for \$91.92, made in person at the LeJuene Office at 4:45 p.m.

02/13/03 Marlene **M.** telephoned Customer Relations and was told that she must submit her SS card to correct the problem.

03/18/03 WASD sent a bill to Marlene **M.** with the total due of \$378.22 (included the past due water bill of \$221.38, \$25.00 NSF check fee, and current service charges of \$131.84). The bill was that of Marlene **C.** Mato.

WASD concluded that "the problem involves two different customers with the same name of Marlene Mato. Despite attempts by both these customers to resolve the problem it was never correctly resolved. The Department is sorry for the inconvenience caused to both these customers by the initial error of using [Marlene **C.** Mato's] record to open [Marlene **M.** Mato's] account. To resolve this issue, the Department will separate any billings and payments for [both customers]. Corrected bills will be sent along with a letter of explanation to both customers. Any late fees or cut charges associated with this problem will be credited."

IRP Staff Remarks:

Ms. Mato expressed her gratitude for IRP intervention, but was uninterested in participating in the IRP committee meeting process where WASD Reps would be present. She expressed that she has a health ailment and cannot succumb to stress.

Committee Discussion

IRP Panel members Heddy Peña and Chief John Ross co-chaired the committee meeting.

WASD Investigative Research

WASD ~ Mary Perez advised that her investigative research revealed that Ms. Mato's conclusion in what had gone wrong was correct. Ms. Perez explained that:

- When the IRP Complainant called WASD in September to open her account, she gave her name.
- Representatives are required to follow a check list that requires them to check certain information, including the SS#, phone number, past & current premise information. Ms. Perez concluded that the Rep came up with one name in the system that said Marlene Mato and did not perform the required checks.

- WASD records show that a Rep placed Marlene **M.** Mato on the same “Account ID Number,” as Marlene **C.** Mato.
- The result was one account with two separate addresses, and the water bills of both addresses were being sent to Marlene **C.**, which is why Marlene **M.** had not received any bills prior to March 2003.
- There were occasions when Reps realized that there was a mix-up, and yet, it was not corrected.

WASD Customer Information System (CIS)

IRP ~ Heddy Peña asked why “different customer Reps recited different billing amounts.”

WASD ~ Ms. Perez explained that part of the problem is due to the Department’s new Customer Information System (CIS) which was installed in December 2001. WASD went from a “premise-based” system, in which customers were solely identified by their addresses and with which the Reps were quite familiar; to a “person-based” system, in which customers are identified by a “Person ID Number,” and Reps aren’t as familiar.

Ms. Perez added that each customer is given a “Person ID Number,” so that no matter where that person moves, that number would go with them. An “Account ID Number” can also go with that person. Reps have to link up a “Person ID Number” with an “Account ID Number” and a “Premise Address.”

Disciplinary Recourse Taken by WASD

IRP ~ Chief John Ross asked if the Department was able to identify the employee who did not follow the check list, and what recourse and/or disciplinary action was taken.

WASD ~ Ms. Perez stated that several employees involved in the problem were identified. The Department was unable to identify the person at the LeJuene office with whom Ms. Mato spoke. Ms. Perez said that she forwarded the complaint, the results of her research, and a cover memo to the appropriate supervisors. She added that there may be informal verbal or formal written counseling, whatever action the supervisors deem appropriate.

IRP ~ Chief Ross asked why was the combined billing problem, when identified by the Reps, not corrected.

WASD ~ Ms. Perez replied that she saw “an attempt” to do a correction. There were two “Person ID Numbers,” created with the IRP Complainant’s phone number and SS, but they were not linked to any premise. Ms. Perez said that she assumed that someone started to correct the problem, but may not have known how to resolve it in the new CIS. Ms. Perez agreed that it should have been taken to whatever supervisory level necessary to be resolved.

Customer Service Quality

IRP ~ Dr. Eduardo I. Diaz said that the complainant in this case, as well as those in the other two cases under review (Noranjo & Malakoff), expressed their concerns about the quality of Customer Service. The complainants felt that they were presumed to be guilty until they prove themselves innocent. There was an assumption that the customer was guilty. Dr. Diaz asked whether the Department has addressed that concern.

WASD ~ Mr. Moss replied that WASD has superior Customer Service Training that all Representatives attend. Mr. Moss said the training emphasis is to teach Reps how to be empathetic and sensitive, to give the customer the benefit of the doubt, and to be positive and professional. Mr. Moss stated that the Department does not have the equipment to monitor customer calls to see whether the training is applied. However, recording equipment is being purchased, and WASD is waiting on ITD for its assistance. In the meanwhile, the Reps are monitored by their supervisors.

WASD Administrative Hearings

WASD ~ Ms. Perez stated that her unit handles the Administrative Hearings. Ms. Perez explained that a customer requests a hearing by filling out a form describing the nature of his/her complaint. The Collection Branch does the research. If it is found that WASD was in error, the complaint is resolved without a Hearing. Complaints that do go to a hearing are the complaints where the Department's research finds that everything was done in accordance with WASD procedures; and the findings are communicated to the customer, but the customer still insists on having a Hearing. Ms. Perez added that the results of the Hearing is influenced by the presiding Hearing Examiner – who could be an administrative officer, engineer, accountant – some are strict and some flexible. Ms. Perez stated that she compiled statistics and found that out of 65 Administrative Hearings held in 2002, 65% were ruled in favor of the customer.

Mr. Moss said that the Hearing Examiners currently are WASD employees, who work in a different section than the section involved in the complaint. He stated that the Department is considering not having its employees sit as the Hearing Examiners, but getting volunteers from outside WASD, such as law students, to be Hearing Examiners. He welcomed any suggestions from the Independent Review Panel.

IRP ~ Chief Ross commented that IRP staff should encourage complainants to participate in the WASD Administrative hearing process.

Carol Boersma stated that the option of the Administrative Hearing was discussed. However, Ms. Mato felt that every attempt she made to resolve the problem brought a negative response from the Department. Ms. Mato had all the information and she knew what the problem was, she just could not get the Department to resolve it. Ms. Boersma stated it's the job of the Independent Review Panel to improve services to the public in a way that will positively impact as many people as possible.

Ms. Peña said someone who is frustrated may not feel that the Department is going to do a good job of investigating itself. Chief Ross said that the customer should have the option.

Dr. Diaz stated that good investigative work done by IRP staff person Debbie Penha-Cumbermack identified the problem, when WASD had not yet come to that conclusion.

Committee Findings: The committee found that:

1. The four allegations made by IRP Complainant Marlene M. Mato are Sustained. There is sufficient corroborating evidence provided by the WASD investigative report and the testimony of the IRP Complainant to support the allegations.
2. WASD acknowledged that all the allegations made by the IRP Complainant are valid and corrected the billing problem. However, action was not taken until IRP intervened in March, and the bill was not corrected until May 2003.

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Committee Recommendations: The committee recommends that the Panel:

- 1) Ask Miami-Dade Water & Sewer Department (WASD) to correctly link, input and/or delete any inappropriate identifying information in the accounts mentioned herein.
- 2) Ask WASD to create a mechanism (bill inserts, brochures, flyers, and/or announcements) to better inform customers about the WASD Administrative Hearings process, with a designated contact number if more information is required by the general public.
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